

FEDERAL COMMUNICATIONS COMMISSION
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July 19, 2011

Mark Litton, President
ICS Holdings
Box 102
Powell, Ohio 43065

Re: ICS Communications, Inc.
WUCO (AM), Marysville, Ohio
Facility Identification Number: 29636
Special Temporary Authority

Dear Mr. Litton:

This is in reference to the request filed June 30, 2011, and supplemented on July 19, 2011, on behalf of ICS Communications, Inc. ("ICS"). ICS requests special temporary authority ("STA") to operate Station WUCO with the licensed nighttime pattern and reduced power.¹ In support of the request, ICS states that it acquired the station in June, 2010, at which time the station was operating under STA with the nighttime pattern and reduced power. ICS states that, when it attempted to restore licensed operation, it discovered issues with nearby reradiating structures. ICS requests STA to operate with the nighttime pattern and reduced power while it works to resolve the reradiation problems and restore licensed operation.

Our review indicates that the previous STA expired on September 11, 2010. STA will be granted as requested, with conditions. In addition, although not requested, authority is granted for operation with parameters at variance and/or reduced power while maintaining monitor points within licensed limits; this mode of operation is preferable to the requested mode. It is anticipated that operation of the daytime antenna system will be accomplished during the process of restoring licensed operation.

Accordingly, the request for STA IS HEREBY GRANTED. Station WUCO may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation during daytime hours with the licensed nighttime directional pattern and reduced nominal power not to exceed 125 watts also is authorized, only as necessary to facilitate restoration of licensed operation. It will be necessary to further reduce power or cease operation if complaints of interference are received. ICS must notify the Commission when licensed operation is restored.² ICS must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310. The authority granted herein does not cover the period

¹ WUCO is licensed for operation on 1270 kHz with 0.5 kilowatt daytime and 0.5 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

between September 11, 2010, and the date of this letter, and is without prejudice as to whatever action the Commission may take with regard to operation of Station WUCO during the foregoing period.

This authority expires on **January 19, 2012**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: ICS Communications, Inc.
Cary S. Tepper, Esq.